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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

E-FILED - 3/9/06

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
SUIBIN ZHANG,)
)
Defendant.)
_____)

No. CR 05-00812 RMW

~~PROPOSED~~
ORDER EXCLUDING TIME

1. The parties appeared on February 21, 2006, for a status conference, and advised the Court that they were in the process of attempting to reach agreement on a suitable protective order before discovery could be provided. The parties estimated that they expected to have an agreement within the next two weeks and, if they could not agree, that they would take their disagreement before the Magistrate Judge.

2. The parties further advised that, given the volume of discovery in the case, that the defense would require a substantial period of time in order to effectively prepare the case for trial or resolution. Defendant asked for a continuance of sixty days and agreed that such time should be excluded from the Speedy Trial clock. The government did not object to such a continuance or to the exclusion of time.

3. Accordingly, and with the explicit agreement of the parties, in open court, this Court scheduled the next appearance to occur on **Monday, April 24, 2006**, at 9:00 a.m., before The Honorable Ronald M. Whyte, United States District Judge.

Based upon the foregoing representations made by the parties, and good cause appearing therefor,

IT IS THEREFORE HEREBY ORDERED that the time between February 21 and April 24, 2006 – a total of 62 days – shall be excluded from the computation the period within which the trial must commence, for the reasons set forth by the parties. The Court finds that the ends of justice outweigh the interests of the public and the parties in a speedier trial based upon the grounds set forth above and finds that the time is appropriately excluded pursuant to 18 U.S.C. §§ 3161(h)(8)(A) and (B)(i) and (iv).

DATED: 3/9/06

/s/ Ronald M. Whyte
RONALD M. WHYTE
United States District Judge

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ORDER